



UNITED STATES PATENT & TRADEMARK OFFICE

Examiner: FUBARA, Blessing M. Art Unit: 1618

Applicant: FOTINOS, Spiros, et al.

Serial No.: 10/036,487

Filed January 7, 2002

For: **DEVICES FOR LOCAL AND SYSTEMIC
DELIVERY OF ACTIVE SUBSTANCES AND
METHODS OF MANUFACTURING THEREOF**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 5, 2006

Sir:

Pursuant to M.P.E.P. §609 and 37 C.F.R. §§1.56, 1.97-1.99, Applicants herewith submit form PTO-1449 (1 page), which lists a reference of which Applicants are aware for the present application. It is noted that Applicants disclose a Canadian patent on PTO-1449 corresponding to HU199687 B cited in the parent Hungarian application.

Applicants also submit copies of PTO-1449 documents filed in the parent application, U.S. Patent Application Serial No. 09/340,338, together with PTO-892 documents. Copies of the references made part of the file history of the parent application have not been included at this time. At the request of the Examiner, copies of these will be furnished.

This submission does not represent that a search has been made or that no better art exists. While the term "references" is used in citing the documents called to the Examiner's attention herein, Applicants do not make any admission that each or all of them are "prior art" references within the meaning of the statutory and case law.

05/10/2006 WASFAW1 00000028 10036487

01 FC:1806

180.00 DP

Applicants reserve the right to contend, where appropriate, that a reference asserted against any claim of the present application is not prior art under the facts and the law.

Applicants also reserve the right to present appropriate arguments and/or evidence to establish patentability over the references, should one or more of the references be applied against the claims of the present application.

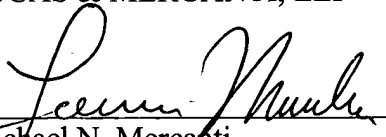
Applicants request that the Examiner independently determine those items which the Examiner would consider the most pertinent of all the references cited herein.

This Supplemental Information Disclosure Statement is filed before the mailing of any of a final action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application. Form PTO-2038 is enclosed for \$180.00. A duplicate copy of this sheet is enclosed. Any deficiency or overpayment should be charged or credited to Deposit Account No. 02-2275. Accordingly, this document complies with the requirements of 37 C.F.R. Section 1.97(c).

It is respectfully requested that the references cited in the accompanying form PTO-1449 be considered and made of record.

Respectfully submitted,

LUCAS & MERCANTI, LLP


Michael N. Mercanti
Registration No. 33,966

"Express Mail" mailing label no. EV 685 805 215 US
Date of Deposit May 5, 2006
I hereby certify that this correspondence and/or fee
is being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 CFR 1.10
on the date indicated above, in an envelope addressed to:
"Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450".

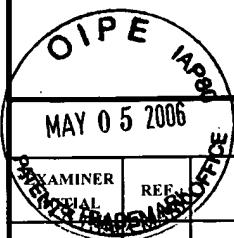
LUCAS & MERCANTI, LLP

By: 

Carla Santos

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Docket Number (Optional)

224.509

Application Number

10/036,487

Applicant(s)

FOTINOS, Spiros, et al.

Filing Date

January 7, 2002

Group Art Unit

1618

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	A1	1,327,359	02/16/1988	CA				

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SECTION 2: FORM PTO 1449 - MODIFIED

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fotinos, S. et al.

Attorney Docket: 1581/120

Serial No.: 09/340,338

Date: October 13, 1999

Date Filed: June 25, 1999

Invention: A DEVICE AND METHOD FOR THE TREATMENT OF ERECTILE DYSFUNCTION



LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE STATEMENT

UNITED STATES PATENTS

Examiner Initials	Ref. No.	Document Number	Issue Date	Name	Class/ Subclass
TW	AA	4,812,313	March 14, 1989	Gale	424/448
	AB	4,954,344	September 4, 1990	Gale	424/448
	AC	5,152,997	October 6, 1992	Ebert et al.	424/449
	AD	5,242,391	September 7, 1993	Place et al.	604/60
	AE	5,302,395	April 12, 1994	Ebert et al.	424/449
	AF	5,333,621	August 2, 1994	Denzer	128/844
	AG	5,474,535	December 12, 1995	Place et al.	604/60
	AH	5,480,648	January 2, 1996	Wendel et al.	424/448
	AI	5,492,911	February 20, 1996	Stief	514/252
	AJ	5,576,290	November 19, 1996	Hadley	514/11
	AK	5,658,936	August 19, 1997	Kifor et al.	514/381
	AL	5,698,589	December 16, 1997	Allen	514/509
	AM	5,741,511	April 21, 1998	Lee et al.	424/449
	TW	AN	5,842,039	November 24, 1998	Hanaway et al.

INTERNATIONAL PATENTS

COPY

Exam. <u>Init.</u>	Ref. <u>No.</u>	Document <u>Number</u>	Publication <u>Date</u>	<u>Country</u>
TW	AO	EP-0 249 194	December 16, 1987	European EPO
	AP	EP 0459 377 A2	December 4, 1991	European EPO
	AQ	WO94/28902	December 22, 1994	World W/O

OTHER DOCUMENTS

Examiner <u>Initials</u>	Ref. <u>No.</u>	
TW	AR	Kligman et al., <i>Arch. Derm.</i> 88, 702, (1963)
	AS	Franz, J., <i>J. Invest. Derm.</i> 64:90-105 (1975)

Examiner: 

Date Considered: 9-15-00

NOTE FOR EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance AND not considered. Include copy of this form with next communication to applicant.
97909

PTO/SB/08A (08-03)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/340,338
Filing Date	June 25, 1999
First Named Inventor	Fotinos
Art Unit	1615
Examiner Name	Ware
Attorney Docket Number	1581/120

Sheet 1 of 1

COPY

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 09/398,846		Fotinos	RECEIVED MAY 12 2003 TECH CENTER 16012900
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Notice of References Cited

Application/Control No.

09/340,338

Applicant(s)/Patent Under
Reexamination
FOTINOS, SPIROS

Examiner

Todd D Ware

Art Unit

1615

Page 1 of 1

U.S. PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	DOCUMENT SOURCE **	
							APS	OTHER
<input type="checkbox"/>	A	6,007,836	Dec. 1999	Denzer	424	449	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	B	4,696,821	Sep. 1987	Belsole	424	448	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	C						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	D						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	E						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	F						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	G						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	H						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	I						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	J						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	K						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	L						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M						<input type="checkbox"/>	<input type="checkbox"/>

FOREIGN PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS	DOCUMENT SOURCE **	
								APS	OTHER
<input type="checkbox"/>	N	2710649	4/1995	France	Postaire	-	-	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	O							<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	P							<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Q							<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R							<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S							<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	T							<input type="checkbox"/>	<input type="checkbox"/>

NON-PATENT DOCUMENTS

*		DOCUMENT (Including Author, Title Date, Source, and Pertinent Pages)	DOCUMENT SOURCE **	
			APS	OTHER
<input type="checkbox"/>	U		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	V		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	W		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	X		<input type="checkbox"/>	<input type="checkbox"/>

*A copy of this reference is not being furnished with this Office action. (See Manual of Patent Examining Procedure, Section 707.05(a).)

**APS encompasses any electronic search i.e. text, image, and Commercial Databases.

U.S. Patent and Trademark Office

PTO-892 (Rev. 03-98)

Notice of References Cited

Part of Paper No. 7

COPY

Notice of References Cited

Application/Control No.

09/340,338

Examiner

Todd D Ware

Applicant(s)/Pat nt Und r

R examinatl n

FOTINOS, SPIROS

Art Unit

1615

Page 1 of 1

U.S. PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	DOCUMENT SOURCE **	
							APS	OTHER
<input checked="" type="checkbox"/>	A	6,007,836-	Dec. 1999	Denzer	424	449	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	B	4,696,821	Sep. 1987	Belsole	424	448	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	C						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	D						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	E						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	F						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	G						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	H						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	I						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	J						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	K						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	L						<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M						<input type="checkbox"/>	<input type="checkbox"/>

FOREIGN PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS	DOCUMENT SOURCE **	
								APS	OTHER
<input checked="" type="checkbox"/>	N	2710649	4/1995	France	Postaire	--	--	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	O							<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	P							<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Q							<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R							<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S							<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	T							<input type="checkbox"/>	<input type="checkbox"/>

NON-PATENT DOCUMENTS

*		DOCUMENT (Including Author, Title Date, Source, and Pertinent Pages)	DOCUMENT SOURCE **	
			APS	OTHER
<input type="checkbox"/>	U	Webster's New World Dictionary of American English Ed. Neufeldt and Guralnik Simon & Shuster, Inc New York Page 1156 1988	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	V		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	W		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	X		<input type="checkbox"/>	<input type="checkbox"/>

*A copy of this reference is not being furnished with this Office action. (See Manual of Patent Examining Procedure, Section 707.05(a).)

**APS encompasses any electronic search i.e. text, image, and Commercial Databases.

U.S. Patent and Trademark Office

PTO-892 (Rev. 03-98)

Notice of References Cited

Part of Paper No. 23

COPY

Notice of References Cited

Application/Control No.

09/340,338

Applicant(s)/Patent Under
Reexamination
FOYINOS, SPIROS

Examiner

Todd D Ware

Art Unit

1615

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,773,020	06-1998	Place et al.	424/426
	B	US-5,914,118	06-1999	Yamamura et al.	424/402
	C	US-6,001,380	12-1999	Smith et al.	424/449
*	D	US-6,007,836	12-1999	Denzer, Eric L.	424/449
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
*	N	FR 2710649 A1	04-1995	France	ERIC, POSTAIRE	C08J 05/18
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
*	U	Webster's New World Dictionary of American English Ed. Neufeldt and Guralnik Simon & Shuster, Inc New York Page 1156 1988
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

COPY

Notice of References Cited	Application/Control No. 09/340,338	Applicant(s)/Patent Under Reexamination FOTINOS, SPIROS	
	Examiner James M Spear	Art Unit 1615	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,589,990	07-2003	Kanakaris et al.	514/573
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

COPY

COPY